

**Opening Statement of Chairman Ed Whitfield
Energy and Power Subcommittee
Markup of H.R. 2681, the Cement Sector Regulatory Relief Act of 2011,
and H.R. 2250, the EPA Regulatory Relief Act of 2011
September 13, 2011**

Today, this subcommittee will markup two very important bills, H.R. 2681, the Cement Sector Regulatory Relief Act, and H.R. 2250, the EPA Regulatory Relief Act, which I will refer to as the cement and boiler bills, respectively. I would like to thank my colleague Mr. Sullivan for sponsoring the cement bill, and Mr. Griffith for sponsoring the boiler bill. I would also like to thank Mr. Ross and Mr. Butterfield of the full committee for their sponsorship of these bipartisan bills

Neither the cement nor the boiler bill was part of the President's jobs speech last week, but both should have been, as these bills clear away impediments to job creation in the years ahead.

The President did express his support for infrastructure projects as a source of jobs and a means to jump-start the economy. What he did not say was that the main component of those roads, bridges, tunnels, buildings, and other infrastructure projects is cement.

To me, it makes no sense for the administration to encourage infrastructure on the one hand, while saddling the cement industry with costly regulations on the other. But this is exactly what the EPA's original cement MACT rules would have done. Even EPA admitted that its proposal would have led to the closure of several facilities and would have raised the cost of the cement used in construction. The cement industry itself predicted that up to 20 percent of domestic production would have shut its doors in favor of imports from countries that do not impose such costly regulations on their cement producers.

To its credit, EPA has recognized that its initial proposal was technologically and economically unrealistic, and has decided to reconsider it. However this process is fraught with uncertainty whether it will provide the relief needed by domestic cement producers. In order to end this chilling effect, we need to pass the cement bill.

This modest bill does nothing more than what EPA should have been doing all along – it requires the agency to set new emissions limits from cement plants that are reasonable and achievable. I am convinced that we can do so in a manner that avoids serious economic damage, and this bill puts us on track to accomplish just that.

The story with the boiler bill is much the same, but the threat to jobs is even greater because these rules would apply to a very wide variety of establishments – not just manufacturers, but also colleges and universities, hospitals, municipal buildings, and commercial properties.

Approximately 200,000 boilers would have been affected by these costly rules. Not only would they adversely impact job creation, but they would also hurt consumers in the form of higher costs for manufactured goods as well as things like medical bills, tuition, and rent.

The impact on higher education is particularly noteworthy. At hearings, we have learned from representatives of Purdue University and Notre Dame University what these rules would do to them. Both institutions fear multi-million dollar compliance costs at a time when their budgets are already under strain and tuition hikes are the last thing families can afford.

As with the cement rule, the EPA is currently reconsidering the boiler rules, but the agency acting on its own is not likely to fix the problems. The boiler bill requires EPA to re-propose its boiler rules so as to be both technologically achievable and economically sensible.

Both these bills restore the balance between our nation's economic and environmental goals. I urge you to support them.

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